

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
	:	
In re REFCO CAPITAL MARKETS, LTD.	:	
BROKERAGE CUSTOMER SECURITIES	:	06-CIV-0643 (JSR)
LITIGATION	:	08-CIV-6167 (2d Cir.)
	:	
-----X		

**LEAD PLAINTIFFS' NOTICE OF MOTION FOR FINAL APPROVAL OF THE
SETTLEMENT WITH THE THL DEFENDANTS AND FINAL CERTIFICATION
OF A CLASS FOR SETTLEMENT PURPOSES**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Sander Bak together with the attached exhibits, the accompanying Declaration of Valerie E. DePiro, the accompanying Memorandum of Law, and all other papers and proceedings herein, Lead Plaintiffs will move this Court, under Rule 23 of the Federal Rules of Civil Procedure, before the Honorable Jed S. Rakoff, United States District Judge, in the Daniel Patrick Moynihan United States Courthouse, Courtroom 14B, 500 Pearl Street, New York, New York 10007, on August 4, 2011 at 4:00 p.m., for an order granting (i) final approval of the settlement of this securities class action as against Defendants Thomas H. Lee Equity Fund V, L.P., Thomas H. Lee Parallel Fund V, L.P., Thomas H. Lee Equity (Cayman) Fund V, L.P., Thomas H. Lee Partners, L.P., THL Managers V, LLC, Thomas H. Lee Equity Advisors V, LLC, Thomas H. Lee Advisors, LLC, Thomas H. Lee Investors Limited Partnership, The 1997 Thomas H. Lee Nominee Trust, Thomas H. Lee, David V. Harkins, Scott L. Jaeckel and Scott A. Schoen and (ii) final certification of the proposed settlement class for purposes of settlement only.

Attached as Exhibit A hereto is a copy of Lead Plaintiffs' [Proposed] Judgment and Order of Dismissal With Prejudice.

Dated: New York, New York
July 14, 2011

MILBANK, TWEED, HADLEY
& MCCLOY LLP

By: /s/ Scott A. Edelman
Scott A. Edelman (SE 5247)
Sander Bak (SB 2263)
1 Chase Manhattan Plaza
New York, NY 10005
212-530-5000 (Telephone)
212-530-5219 (Fax)
sedelman@milbank.com
sbak@milbank.com

And

KIRBY MCINERNEY LLP

By: /s/ Mark A. Strauss
Richard L. Stone
Mark. A. Strauss
830 Third Avenue
New York, NY 10022
212-371-6600
212-751-2540

*Attorneys for Lead Plaintiffs Global
Management Worldwide Limited, Arbat
Equity Arbitrage Fund Limited, and
Russian Investors Securities Limited*